



UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

Jason Schwartz, Esq.
Friedman Vartolo LLP
1325 Franklin Avenue, Suite 160
Garden City, NY 11530

Attorneys for Rushmore Loan Management Services,
LLC as servicer for U.S. Bank National Association, not
in its individual capacity but solely as trustee for RMTT
Trust, Series 2021 Cottage-TT-V

P: (212) 471-5100

Bankruptcy@FriedmanVartolo.com

IN RE:

Thomas P McCabe aka Thomas McCabe, Jr. and Adriana
M McCabe aka Adriana Barbarano

Debtors

Order Filed on December 6, 2023
by Clerk
U.S. Bankruptcy Court
District of New Jersey

CASE NO.: 19-32377-ABA

CHAPTER: 13

HON. JUDGE.:

Andrew B. Altenburg Jr.

ORDER VACATING AUTOMATIC STAY

The relief set forth on the following page numbered two (2) is hereby **ORDERED**.

DATED: December 6, 2023


Honorable Andrew B. Altenburg, Jr.
United States Bankruptcy Court

Upon the motion of Rushmore Loan Management Services, LLC as servicer for U.S. Bank National Association, not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 Cottage-TT-V, on behalf of its successors and/or assigns (hereinafter collectively “Secured Creditor” and/or “Movant”) under Bankruptcy Code section 362(a) for relief from the automatic stay as to certain property as hereinafter set forth, and for cause shown, it is

ORDERED that the automatic stay of Bankruptcy Code Section 362(a) is vacated to permit the Movant to institute or resume and prosecute to conclusion one or more actions in the court(s) of appropriate jurisdiction to pursue the movant's rights in the following:

[x] Real property commonly known and more fully described as: 3104 Sunset Ave, Williamstown, NJ 08094

ORDERED that the movant may join the debtors and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code; and it is further

ORDERED, that the stay afforded by 11 U.S.C. §362(a) be, and is hereby, modified to permit Rushmore Loan Management Services, LLC as servicer for U.S. Bank National Association, not in its individual capacity but solely as trustee for RMTP Trust, Series 2021 Cottage-TT-V, its successors and/or assigns, to pursue its rights under applicable state law with respect to the premises 3104 Sunset Ave, Williamstown, NJ 08094; and it is further

ORDERED, that the instant order is binding in the event of a conversion; and it is further

ORDERED, that the trustee be informed of any surplus monies resulting from the sale of the collateral.

ORDERED, that the movant shall serve this order on the debtors, any trustee, and any other party who entered an appearance on the motion.